

**UNITED STATES DISTRICT COURT  
DISTRICT OF NEVADA**

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MARVIN ROY FELDMAN,

2:09-cv-01598-JCM-VCF

**Plaintiff,**

## ORDER

VS.

[Plaintiff's Motion to Enforce Settlement (#92)]

**POKERTEK, INC.,**

**Defendant.**

Before the Court is *Marvin Roy Feldman v. Pokertek, Inc.*, case no. 2:09-cv-01598-JCM-VCF.

On July 19, 2013, plaintiff Marvin Roy Feldman filed a Motion to Enforce Settlement (#32).

Section 3.4 of the settlement agreement which is the subject of the motion provides for confidentiality of the settlement terms. The court directed the sealing of plaintiff's motion (#92) and its attachment to preserve the agreed confidentiality of the settlement terms.

Pursuant to Local Rule IA 10-6(a), “[a] party who has appeared by attorney cannot while so represented appear or act in the case. An attorney who has appeared for a party shall be recognized by the Court and all the parties as having control of the client’s case.” On this Court’s docket, Mr. Olsen and Mr. Hogan of the law firm Gordon & Silver, Ltd. are currently plaintiff’s counsel and have not filed a motion to withdraw as counsel. Plaintiff may not file motions on his own behalf. See Local Rule IA 10-6(a). Because Mr. Feldman’s filing his Motion to Enforce Settlement (#92) violates LR IA 10-6(a), it must be stricken from the docket.

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Additionally, the motion is improper because this case is closed. Should a party to the settlement agreement wish to seek relief for an alleged breach or breaches of the settlement agreement which is the subject of plaintiff's motion, he must file a civil action in a court with jurisdiction over the matter and the parties.

IT IS HEREBY ORDERED that Plaintiff's Motion to Enforce Settlement (#92) is STRICKEN for the reasons set forth above.

Dated: July 19, 2013.

Cam Ferenbach

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CAM FERENBACH  
UNITED STATES MAGISTRATE JUDGE